



(b) (6)

asbestos info

Campbell, Cristina - OSHA State (MD-SP) <Campbell.Cristina@dol.gov>

Tue, May 26, 2015 at 4:34 PM

To: (b) (6)

<http://mde.maryland.gov/programs/Air/Asbestos/AsbestosandIndustrialHygieneHome/Pages/Programs/AirPrograms/Asbestos/home/index.aspx>

Lorraine Anderson

Division Chief

Maryland Department of the Environment

Asbestos Licensing & Enforcement Division

410-537-3200

lorraine.anderson@maryland.gov

Cristina Campbell Harris

Safety and Health Compliance Hygienist

p. 410-527-2079

f. 410-527-4488

Address:

Maryland Occupational Safety and Health

10946 Golden West Drive, Suite 160

Hunt Valley, MD 21031

Asbestos Emergency

(b) (6)

Wed, May 27, 2015 at 5:34 PM

To: lorraine.anderson@maryland.gov

Dear Ms. Anderson,

I spoke with Cristina Campbell Harris (OSHA, Safety and Health Compliance Hygienist) yesterday regarding the replacement of exterior windows and doors in a Ramada Inn which was built in the early 1970s and then in 1977 and 1978 sold them off as condominiums named Wight Bay. Ms. Harris referred me to you because Ms. Harris said OSHA did not have jurisdiction to come on-site unless an employee complained.

In 2014, Wight Bay's Board of Directors (BOD) tested the building and the building tested positively for Asbestos. Wight Bay's BOD contracted with Fisher's Environmental company to cut, encapsulate, and remove building surface area around the exterior windows "only" on the frontside of the building but repeatedly and intentionally failed to contract with Fisher's Environmental to perform the same federal requirements on the **removal and replacement of the doors and backside exterior windows of the building**. The building requires scaffolding in order to replace the backside exterior windows of the building.

To cut costs, Wight Bay's BOD intentionally violated the federal code of regulations by replacing the doors of 120 condominiums from the Asbestos containing surface area without following CFR. Wight Bay's BOD also violated CFR when they gave Vytex Contracting access to the inside of the condominiums to remove and replace the backside building exterior windows which were cut out of the same Asbestos containing building surface. Vytex does not have the federally required licenses for anything Asbestos related.

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Wight Bay's BOD contracted for this work to be performed when the condo owners were out of town so none of the owners would question there negligent and egggregious actions. I however have been residing in my condo and have witnessed such actions. Additionally, when I questioned

the Wight Bay BOD to confirm that they would be following CFR for removal and replacement of my door and backside building exterior window I have been told that Wight Bay's BOD refuses to follow Asbestos regulations for the doors and backside building exterior windows and to date I have received continous threats and harrassment from Wight Bay's BOD and on-site maintenance men.

I am hoping you could provide me with some assistance with this matter. Please feel free to contact me via email or on my cell phone at (b) (6) I look forward to hearing back from you.

Regards,

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Asbestos Emergency

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Thu, May 28, 2015 at 10:22 AM

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Asbestos Emergency

Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>

(b) (6)

Thu, May 28, 2015 at 11:06 AM

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Thu, May 28, 2015 at 12:54 PM

To: Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>

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Wight Bay Condominiums North Building (72 Condos)
Ocean City, MD 21842

4709 Coastal Highway
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These men are here now forcing this on us no matter what.

[Quoted text hidden]



(b) (6)

asbestos info

(b) (6)

Tue, Dec 1, 2015 at 4:36 PM

To: bill.schmidt@maryland.gov

Hello Bill,

I am forwarding you all of my correspondence with Lorraine Anderson.

Regards,

(b) (6)

[Quoted text hidden]

Asbestos Emergency

(b) (6)

Tue, Dec 1, 2015 at 4:37 PM

To: bill.schmidt@maryland.gov

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Date: Wed, May 27, 2015 at 5:34 PM

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Asbestos Emergency

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To: bill.schmidt@maryland.gov

Tue, Dec 1, 2015 at 4:38 PM

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From: (b) (6)

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Subject: Re: Asbestos Emergency

To: (b) (6)

I am looking into it. Could you please send me the address and the dates it occurred.



(b) (6)

asbestos info

Bill Schmidt -MDE- <bill.schmidt@maryland.gov>

Wed, Dec 2, 2015 at 6:03 AM

To: (b) (6)

Cc: D'Arcy Talley -MDE- <d'arcy.talley@maryland.gov>

Thank you for you (b) (6). I did received the email communications you sent me and I have reached out to Lorraine Anderson of MDE about this matter. Ms. Anderson advised me that the project was a notified project and that she was currently waiting for the waste manifests and the air clearance information from the project, and would send the information to me once received.

I also received you phone messages on Monday, 11-30 regarding your complaint of recent harassment and damage to your car. I returned your calls but received no answer. I left a message advising that the harassment and property damage incidents were matters outside of the Environmental Crimes Unit's (ECU's) jurisdiction and advised that you contact the police regarding these matters. I hope you received my message. Please know that I have requested additional information from Ms. Anderson of MDE on the asbestos issues in your condo, and I will continue to pursue this matter to determine if ECU will conduct a criminal investigation in this matter.

Best Regards,

Bill Schmidt

Investigator

MD Office of the Attorney General, Environmental Crimes Unit

410-537-3023 Baltimore Office

410-977-9870 Cell

410-537-3030 Fax

[Quoted text hidden]

asbestos info

(b) (6)

Thu, Dec 3, 2015 at 7:09 AM

To: Bill Schmidt -MDE- <bill.schmidt@maryland.gov>

Dear Bill,

I am sure that Ms. Anderson is saying that it was a correctly performed project but these are corrupt individuals (actually felons once I looked them up to see if they had any criminal records- I can provide you with their rap sheets) stating everything was handled in compliance with the federal government regulations but I am telling you my sister and I saw it with our own eyes and have videos and photographs of these people failing to perform ANY asbestos abatement on the front doors of 135 condominiums where they ripped out the entire door frames from the structure of the building, and 7 corner units (should be 8 but we will not allow them to pull out our window from the inside of our condominium without using asbestos encapsulation and abatement). The 7 other corner units should have been done from the outside using scaffolding but instead they performed it from the inside with no encapsulation and abatement.

The only thing that was accomplished by contacting Ms. Anderson was that some unit owners received that letter I sent to you in an email from Randy Laye which was sent out after-the-fact and federal law required he inform all unit owners before the project began warning them that the building and joint compound in all of the units contained 3% asbestos so when all 135 unit owners returned this summer they were not exposed to 3% asbestos which after speaking with the unit owners completely covered each of their condos, furniture and everything else in their condos. My dog is not the only dog that died from this. Additionally one unit owner from New York has had repeated visits to the doctor because of her lungs which they said she had pneumonia but then realized it was not pneumonia but could not figure out what it was. I watched in absolute horror as all 135 units brought children under the age of 2 where they were crawling around on the carpets in addition to their pets.

To say Ms. Anderson dropped the ball would be the understatement of a lifetime. I do not care who she is or what position/title she carries. She got scammed by these people and I forewarned her the false stories these corrupt individuals were going to provide her with. Furthermore, as soon as the Summer ended, Vytex windows came back and AGAIN with no asbestos encapsulation or abatement tore out both sets of sliding glass doors on many of the units. Again I have videos and photographs of these non-english speaking individuals doing this. These sliding glass doors run the length of each of the 136 units where each faces the lagoon or the bay. The workmen swept up the piles of dust and debris that was all over the decks of the units and put it in the trash can. They failed to have plastic or anything covering the condos. So again

every unit owner and their families and pets will be exposed to asbestos again when they return to their condos next summer.

I was completely disgusted by Ms. Anderson's lack of protecting 136 unit owners lives including their pets and the environment from such deadly material. I drafted a letter to Ms. Anderson putting her on notice that I was contacting the Attorney General because she had failed to perform her job as a government official but did not get the opportunity to send it to Ms. Anderson because I was handling Wight Bay Board of Directors suing us because they want to come into our condominium and rip out all of the water damaged walls from roof leaks, rip out our sliders, windows and front door all without asbestos encapsulation or abatement. Once the court grants them access into our condo they will have successfully covered up breaking federal laws repeatedly by failing to encapsulate and abate all ACM (asbestos containing material) and PACM (possible asbestos containing material) where Wight Bay falls under both ACM and PACM.

I guess what all of this is going to come down to is my subpoenaing Ms. Anderson to court and subpoenaing her for the production of documents and correspondence with whomever she supposedly got in contact with.

Why are the Code of Federal Regulations even in place if NOBODY has to follow them? Is Ms. Anderson even familiar with what is contained in the CFRs? How can she say everything was followed correctly when I just recently became familiar with the Code of Federal Regulations with regards to the requirements of Asbestos and immediately I noticed in ESIs (owned by board member Vinny Gigliotti) performed the sampling with the wrong equipment. It states it in CFR that if performing an air sample the amount of air should be between 0.5 L/per minute or 2.5 L/per minute definitely NOT 1200/L (1200/Liters) of air per sampling that this would automatically make the test invalid. It is too much air. Additionally the CFRs require PCM 7400 test be performed and then after the two-part PCM test is finished the third part of PCM 7400 test is the TEM 7402 which only is a PARTIAL mean of testing and must be used in conjunction with PCM 7400. TEM 7402 ONLY identifies the types of particles but cannot perform the tests which prove whether asbestos is present.

These people removed Asbestos containing wallboard from our condo which is what killed my dog and initially exposed us to Asbestos.

Regardless, you work under the Attorney General and not Ms. Anderson is my understanding. I urge you to perform a full investigation because I can 100% assure you that the Wight Bay Board of Directors and maintenance men have exposed all of us to deadly levels of Asbestos and want to expose my family again. I have already lost a very important family member, my dog. To most people a dog is just a dog but not to me. He was my best friend, protector and could not be any closer to human if he tried. And do not think for one minute I have not lost an animal of a loved one before in my life because I have grown up with dogs my entire life and lost over ten dogs. But this was different. If you had the opportunity to look on Harrison's K9 Security Services you

would see that these dogs are far superior to any other dogs on the market. His health was in pristine condition and had been to the vets on a regular basis. He had been checked out by a specialist to make sure he did not have cancer. Both his father and mother lived until they were 17 and 18 years old and died of old age. Aside from my dog my mother lives in this condo and she is 71 years old. I refuse to allow these criminals to submit her to more Asbestos exposure. My mother is my best friend and thus why I am here tending to her health after a debilitating divorce from a very abusive man. If you have any compassion or love for your mother please conduct a thorough investigation. I am an honest individual (it is one of my downfalls) who truly has better things to do then to be wasting my time fighting these corrupt individuals in court and submitting myself to their criminal harassment if these people had not seriously done things wrong and their only worry is about making sure they do not get caught and that their property values do not go down. This is going to trial on January 21, 2016 in Snow Hill, Maryland. On Monday, they had eight of the above mentioned people ready to take the stand against us.

I can prove to you through time and date stamped photographs, videos, email correspondence with Wight Bay Board of Directors and their management companies, and audio recordings (obtained legally) that these people are some of the most corrupt individuals you will ever encounter. I am not someone who is easily surprised by the actions or motivations of anyone but these people take it to a whole new level. The Wight Bay Board of Directors truly believe they run the country. They are professional liars and incredibly convincing to the untrained individual. They want everyone drinking their Kool-Aid.

Ms. Anderson is waiting for results from April??? Really? And who did she contact? And why would she not have received results from over 8 months ago? According to CFR all of the paperwork must be done in advance and preliminary testing on everything. And Ms. Anderson does not NOTICE all the red flags.

I get the feeling that Ms. Anderson is going to control you and keep you from investigating this. Please let me know that the Wight Bay Board of Directors is controlling the Attorney General's Office.

Please review each of the documents I sent to you in my email on Tuesday. And please call me.

Yes, I received your phone call. Thank you for your phone call. I could not answer as I was in the courthouse. But I did follow up responding to your call with an email as soon as I was able. I called back the telephone number you called from and a gentleman told me he did not have your extension but did give me your email address.

Regards,

(b) (6)

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5 attachments



IMG_3486.JPG
1320K



IMG_3406.JPG
1375K



IMG_3404.JPG
1283K



IMG_3397.JPG
2442K



(b) (6)

Asbestos Emergency

(b) (6)

Wed, Jan 20, 2016 at 2:56 PM

To: bridget.lundfelt@maryland.gov, governor.mail@maryland.gov

----- Forwarded message -----

From: (b) (6)

Date: Wed, May 27, 2015 at 5:34 PM

Subject: Asbestos Emergency

To: lorraine.anderson@maryland.gov

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Subject: asbestos info
To: (b) (6)

<http://mde.maryland.gov/programs/Air/Asbestos/AsbestosandIndustrialHygieneHome/Pages/Programs/AirPrograms/Asbestos/home/index.aspx>

Lorraine Anderson

Division Chief

Maryland Department of the Environment

Asbestos Licensing & Enforcement Division

[410-537-3200](tel:410-537-3200)

lorraine.anderson@maryland.gov

Cristina Campbell Harris

Safety and Health Compliance Hygienist

p. [410-527-2079](tel:410-527-2079)

f. [410-527-4488](tel:410-527-4488)

Address:

Maryland Occupational Safety and Health

10946 Golden West Drive, Suite 160

Hunt Valley, MD 21031



(b) (6)

asbestos info

(b) (6)

Wed, Jan 20, 2016 at 3:05 PM

To: bridgette.lundfelt@maryland.gov, governor.mail@maryland.gov

----- Forwarded message -----

From: **Bill Schmidt -MDE-** <bill.schmidt@maryland.gov>

Date: Wed, Dec 2, 2015 at 6:03 AM

Subject: Re: asbestos info

To: (b) (6)

Cc: D'Arcy Talley -MDE- <d'arcy.talley@maryland.gov>

Thank you for you (b) (6) I did received the email communications you sent me and I have reached out to Lorraine Anderson of MDE about this matter. Ms. Anderson advised me that the project was a notified project and that she was currently waiting for the waste manifests and the air clearance information from the project, and would send the information to me once received.

I also received your phone messages on Monday, 11-30 regarding your complaint of recent harassment and damage to your car. I returned your calls but received no answer. I left a message advising that the harassment and property damage incidents were matters outside of the Environmental Crimes Unit's (ECU's) jurisdiction and advised that you contact the police regarding these matters. I hope you received my message. Please know that I have requested additional information from Ms. Anderson of MDE on the asbestos issues in your condo, and I will continue to pursue this matter to determine if ECU will conduct a criminal investigation in this matter.

Best Regards,

Bill Schmidt

Investigator

MD Office of the Attorney General, Environmental Crimes Unit

[410-537-3023](tel:410-537-3023) Baltimore Office

[410-977-9870](tel:410-977-9870) Cell

[410-537-3030](tel:410-537-3030) Fax

asbestos info

(b) (6)

Wed, Jan 20, 2016 at 3:05 PM

To: bridgette.lundfelt@maryland.gov, governor.mail@maryland.gov

----- Forwarded message -----

From: (b) (6)

Date: Thu, Dec 3, 2015 at 7:09 AM

Subject: Re: asbestos info

To: Bill Schmidt -MDE- <bill.schmidt@maryland.gov>

Dear Bill,

I am sure that Ms. Anderson is saying that it was a correctly performed project but these are corrupt individuals (actually felons once I looked them up to see if they had any criminal records- I can provide you with their rap sheets) stating everything was handled in compliance with the federal government regulations but I am telling you my sister and I saw it with our own eyes and have videos and photographs of these people failing to perform ANY asbestos abatement on the front doors of 135 condominiums where they ripped out the entire door frames from the structure of the building, and 7 corner units (should be 8 but we will not allow them to pull out our window from the inside of our condominium without using asbestos encapsulation and abatement). The 7 other corner units should have been done from the outside using scaffolding but instead they performed it from the inside with no encapsulation and abatement.

The only thing that was accomplished by contacting Ms. Anderson was that some unit owners received that letter I sent to you in an email from Randy Laye which was sent out after-the-fact and federal law required he inform all unit owners before the project began warning them that the building and joint compound in all of the units contained 3% asbestos so when all 135 unit owners returned this summer they were not exposed to 3% asbestos which after speaking with the unit owners completely covered each of their condos, furniture and everything else in their condos. My dog is not the only dog that died from this. Additionally one unit owner from New York has had repeated visits to the doctor because of her lungs which they said she had pneumonia but then realized it was not pneumonia but could not figure out what it was. I watched in absolute horror as all 135 units brought children under the age of 2 where they were crawling around on the carpets in addition to their pets.

To say Ms. Anderson dropped the ball would be the understatement of a lifetime. I do not care who she is or what position/title she carries. She got scammed by these people and I forewarned her the false stories these corrupt individuals were going to provide her with. Furthermore, as soon as the Summer ended, Vytex windows came back and AGAIN with no asbestos

encapsulation or abatement tore out both sets of sliding glass doors on many of the units. Again I have videos and photographs of these non-english speaking individuals doing this. These sliding glass doors run the length of each of the 136 units where each faces the lagoon or the bay. The workmen swept up the piles of dust and debris that was all over the decks of the units and put it in the trash can. They failed to have plastic or anything covering the condos. So again every unit owner and their families and pets will be exposed to asbestos again when they return to their condos next summer.

I was completely disgusted by Ms. Anderson's lack of protecting 136 unit owners lives including their pets and the environment from such deadly material. I drafted a letter to Ms. Anderson putting her on notice that I was contacting the Attorney General because she had failed to perform her job as a government official but did not get the opportunity to send it to Ms. Anderson because I was handling Wight Bay Board of Directors suing us because they want to come into our condominium and rip out all of the water damaged walls from roof leaks, rip out our sliders, windows and front door all without asbestos encapsulation or abatement. Once the court grants them access into our condo they will have successfully covered up breaking federal laws repeatedly by failing to encapsulate and abate all ACM (asbestos containing material) and PACM (possible asbestos containing material) where Wight Bay falls under both ACM and PACM.

I guess what all of this is going to come down to is my subpoenaing Ms. Anderson to court and subpoenaing her for the production of documents and correspondence with whomever she supposedly got in contact with.

Why are the Code of Federal Regulations even in place if NOBODY has to follow them? Is Ms. Anderson even familiar with what is contained in the CFRs? How can she say everything was followed correctly when I just recently became familiar with the Code of Federal Regulations with regards to the requirements of Asbestos and immediately I noticed in ESIs (owned by board member Vinny Gigliotti) performed the sampling with the wrong equipment. It states in CFR that if performing an air sample the amount of air should be between 0.5 L/per minute or 2.5 L/per minute definitely NOT 1200/L (1200/Liters) of air per sampling that this would automatically make the test invalid. It is too much air. Additionally the CFRs require PCM 7400 test be performed and then after the two-part PCM test is finished the third part of PCM 7400 test is the TEM 7402 which only is a PARTIAL mean of testing and must be used in conjunction with PCM 7400. TEM 7402 ONLY identifies the types of particles but cannot perform the tests which prove whether asbestos is present.

These people removed Asbestos containing wallboard from our condo which is what killed my dog and initially exposed us to Asbestos.

Regardless, you work under the Attorney General and not Ms. Anderson is my understanding. I urge you to perform a full investigation because I can 100% assure you that the Wight Bay Board of Directors and maintenance men have exposed all of us to deadly levels of Asbestos and want

to expose my family again. I have already lost a very important family member, my dog. To most people a dog is just a dog but not to me. He was my best friend, protector and could not be any closer to human if he tried. And do not think for one minute I have not lost an animal of a loved one before in my life because I have grown up with dogs my entire life and lost over ten dogs. But this was different. If you had the opportunity to look on Harrison's K9 Security Services you would see that these dogs are far superior to any other dogs on the market. His health was in pristine condition and had been to the vets on a regular basis. He had been checked out by a specialist to make sure he did not have cancer. Both his father and mother lived until they were 17 and 18 years old and died of old age. Aside from my dog my mother lives in this condo and she is 71 years old. I refuse to allow these criminals to submit her to more Asbestos exposure. My mother is my best friend and thus why I am here tending to her health after a debilitating divorce from a very abusive man. If you have any compassion or love for your mother please conduct a thorough investigation. I am an honest individual (it is one of my downfalls) who truly has better things to do then to be wasting my time fighting these corrupt individuals in court and submitting myself to their criminal harassment if these people had not seriously done things wrong and their only worry is about making sure they do not get caught and that their property values do not go down. This is going to trial on January 21, 2016 in Snow Hill, Maryland. On Monday, they had eight of the above mentioned people ready to take the stand against us.

I can prove to you through time and date stamped photographs, videos, email correspondence with Wight Bay Board of Directors and their management companies, and audio recordings (obtained legally) that these people are some of the most corrupt individuals you will ever encounter. I am not someone who is easily surprised by the actions or motivations of anyone but these people take it to a whole new level. The Wight Bay Board of Directors truly believe they run the country. They are professional liars and incredibly convincing to the untrained individual. They want everyone drinking their Kool-Aid.

Ms. Anderson is waiting for results from April??? Really? And who did she contact? And why would she not have received results from over 8 months ago? According to CFR all of the paperwork must be done in advance and preliminary testing on everything. And Ms. Anderson does not NOTICE all the red flags.

I get the feeling that Ms. Anderson is going to control you and keep you from investigating this. Please let me know that the Wight Bay Board of Directors is controlling the Attorney General's Office.

Please review each of the documents I sent to you in my email on Tuesday. And please call me.

Yes, I received your phone call. Thank you for your phone call. I could not answer as I was in the courthouse. But I did follow up responding to your call with an email as soon as I was able. I called back the telephone number you called from and a gentleman told me he did not have your extension but did give me your email address.

Regards,

(b) (6)



(b) (6)

Our Asbestos conversation earlier today

(b) (6)

Wed, Jan 20, 2016 at 3:16 PM

To: bridgette.lundfelt@maryland.gov

Dear Bridgette,

It was a pleasure speaking to with you today. I forwarded on to you and the governor.mail@maryland.gov email address all of the correspondence I had with Lorraine Anderson and Bill Schmidt. I did however speak to Mr. Schmidt on the telephone for about an hour prior to our emails.

As we discussed the Wight Bay Board of Directors is suing us tomorrow in Worcester County Circuit Court in order to get an injunction to have us removed from the condominium we own so the Board of Directors can have unlicensed individuals come in and rip out all of our condo walls without Asbestos containment and abatement as is required by the federal laws. Is there any chance that your office could provide me with a one line letter stating the government has opened an investigation which I could present to the Judge in court tomorrow to prevent the Wight Bay Board of Directors from exposing us any further to Asbestos while the Governor's office investigates or looks into my complaint? Please let me know. Thank you for all of your assistance. I greatly appreciate it.

Regards,

(b) (6)

(b) (6)

cell

(b) (6)



(b) (6)

Asbestos Exposure Follow-up

(b) (6)

Thu, Jan 28, 2016 at 3:54 PM

To: bridgette.lundfelt@maryland.gov, governor.mail@maryland.gov
Cc: victor.ramirez@senate.state.md.us

Dear Bridgette,

I am following up with you in regard to the Wight Bay Asbestos exposure problem. I attached an outline of the many times Wight Bay's Board of Directors has willingly, willfully and consciously exposed 136 condo unit owners, their families, children, guests, pets, the public and the environment to friable asbestos in direct violation of CFR 1926.1101 but to date governmental organizations and other protections in place have failed.

Also included in the attachment is the key criminal players who have willfully exposed the aforementioned time and time again and are scheduled to expose everyone again in March 2016. I would greatly appreciate it if you could please pass this attachment on to Mary Tung. Please let me know if there have been any developments or any actions from the Governor's or Secretary's offices to investigate these despicable acts. Thank you.

Regards,

(b) (6)

(cell)



2016.01.28 Key Criminal Players & Outline of Asbestos Exposure Events.docx

137K

KEY CRIMINAL PLAYERS & OUTLINE OF ASBESTOS EXPOSURE EVENTS

Ron Mason-

President, Wight Bay Board of Directors (2010-2014)
Vice President, Wight Bay Board of Directors (2014-present)

Testified under oath that he knew there was Asbestos in the Wight Bay buildings since **2011** but failed to disclose it to the unit owners.

Has repeatedly exposed 136 unit owners, their families and pets to Asbestos without their knowledge.

Consciously failed to comply with CFR 1926.1101

Consciously failed to comply with COMAR 26.11.21.06A(4)
Consciously failed to comply with Environmental Article 6.414.1
Consciously failed to comply with CFR 1926.1101- (2) Duties of building and facility owners.
Sued us on January 21, 2016 to get an Injunction to circumvent complying with CFR 1926.1101, COMAR 26.11.21.06A(4) and the Environment Article 6.414.1

Randy Laye-

President, Wight Bay Board of Directors (2014-present)

Known Asbestos was in the Wight Bay buildings since **2011** but failed to disclose it to the unit owners.

Has repeatedly exposed 136 unit owners, their families and pets to Asbestos without their knowledge.

Consciously failed to comply with CFR 1926.1101

Consciously failed to comply with COMAR 26.11.21.06A(4)
Consciously failed to comply with Environmental Article 6.414.1
Consciously failed to comply with CFR 1926.1101- (2) Duties of building and facility owners.
Sued us on January 21, 2016 to get an Injunction to circumvent complying with CFR 1926.1101, COMAR 26.11.21.06A(4) and the Environment Article 6.414.1

Eugene Jubber-

President, OC Real Estate Management Inc. (OCREM), Property Mgmt Company for Wight Bay Condominiums

April 14, 2015- Sent emails which contained the schedule of when the windows and doors of each Wight Bay unit would be removed and replaced but failed to make any mention of Asbestos being present in the buildings.

Consciously failed to comply with CFR 1926.1101

Consciously failed to comply with COMAR 26.11.21.06A(4)

Consciously failed to comply with Environmental Article 6.414.1

Consciously failed to comply with CFR 1926.1101- (2) Duties of building and facility owners.

Sued us on January 21, 2016 to get an Injunction to circumvent complying with CFR 1926.1101, COMAR 26.11.21.06A(4) and the Environment Article 6.414.1

Has repeatedly exposed 136 unit owners, their families and pets to Asbestos without their knowledge.

Vinny Gigliotti-

Wight Bay Board of Directors (2010-present)

Owner, Wight Bay Condo #361

Owner of **Environmental Solutions Inc. ("ESI")**

Performed Asbestos Testing Samples after all 136 unit owners, their families, pets, guests, the public and environment were exposed to Asbestos as a result of his and WBBOD willful negligence.

Performed the sampling erroneously

Used the wrong equipment with wrong specifications to perform sampling (according to CFR 1926.1101)

If he used the wrong equipment with wrong specs **who knows where he actually performed the test samplings.**

He did **test samplings of the air instead of the KNOWN ASBESTOS DUST** covering 136 condo units (extremely hinky- if the dust is positive, it is in the air!)

Had a **conflict of interest** & should not have been performing the tests because **if tests came back positive he could be fined and imprisoned.**

Failed to disclose to Wight Bay Unit Owners **that he and his company performed the test sampling.**

Performed **partial** tests = NIOSH 7402

Failed to perform **full tests** = NIOSH 7400

ESI's own tests proved everyone was exposed to at least 3% Asbestos! (Do not be fooled like he intends- WBBOD tested the sheetrock and the joint compound after they failed to abate or contain the sheetrock and joint compound around the windows and doors and every unit owners (136) condos were covered in Asbestos dust.) See ESI's test results from May 15, 2015 which show **Joint compound**

tested 3% Asbestos. WBBOD tried to back peddle and conceal the fact that they willfully exposed us all by Vinny Gigliotti performing AIR tests with the wrong equipment and wrong specifications **to ensure he would not get positive results months after exposing us.**

ESI's test results state they **use GENERALLY accepted industry methods and practices.** –Scam Disclaimer.

Consciously failed to comply with CFR 1926.1101

Consciously failed to comply with COMAR 26.11.21.06A(4)

Consciously failed to comply with Environmental Article 6.414.1

Consciously failed to comply with CFR 1926.1101- (2) Duties of building and facility owners.

Has repeatedly exposed 136 unit owners, their families and pets to Asbestos without their knowledge.

IN CHRONOLOGICAL ORDER FROM EARLIEST TO MOST RECENT

1970-

The EPA was created under the authority of the **Clean Air Act of 1970 (CAA)** to protect the public from hazardous airborne contaminants. Pursuant to the Act, the EPA began to develop **National Emissions Standards for Hazardous Air Pollutants (NESHAP)** to limit public exposure to various contaminants.

March 31, 1971-

The EPA listed **asbestos as a hazardous air pollutant**. The EPA considered asbestos a carcinogen. All forms of asbestos were included, including chrysotile, amosite, and crocidolite. The EPA has never made a distinction between asbestos fiber types. All of its regulations and exposure levels apply equally to all fiber types.

April 6, 1973-

The EPA prohibited spray application of products containing more than 1% asbestos by weight, and **adopted a regulation prohibiting any “visible emissions”** in milling and manufacturing operations and **during the demolition of buildings**. Financial penalties applied.

January 15, 1975-

The land now known as Wight Bay Condominiums was sold to **RAMADA INNS, INC.**

October 14, 1975-

The EPA defined “**friable asbestos material**” as any material containing > 1% asbestos by weight that can be crumbled, pulverized, or reduced to powder, when dry, by hand pressure, and required that prior removal of asbestos material occur any time > 206 linear feet of pipe insulation or 160 square feet of **friable surface-applied asbestos material was disrupted during building demolition or renovation**. These regulations remain in effect today.

<u>1976-</u>	The <u>Toxic Substances Control Act (TSCA)</u> was passed, conferring additional authority upon the EPA to regulate asbestos. Under the Act, the EPA was empowered to monitor chemical substances and regulate any chemical determined to pose an “unreasonable risk” to human health and/or to the environment.
<u>December 31, 1976-</u>	RAMADA INNS, INC. sold the property to RAMADA HOTEL OPERATING COMPANY for \$10.00 in a Special Warranty Deed.
<u>1977-</u>	<u>Clean Air Act (CAA) was amended</u> to “protect public health and welfare *** notwithstanding attainment” of a NAAQS and “to ensure economic growth will occur in a manner consistent with the preservation of existing clean air resources.”
<u>1977-</u>	The <u>Consumer Product Safety Commission (CPSC)</u> , adopted regulatory provisions concerning asbestos, though not as expansively as the entities discussed above. The CPSC banned both asbestos-containing consumer patching compounds used to repair walls and ceilings, and artificial emberizing materials used to simulate live embers in fireplaces. In addition to regulating asbestos, the CPSC also provides consumers with information and warnings pertaining to asbestos in the home, the proper removal of asbestos, health concerns related to asbestos, and asbestos sampling procedures.
<u>April 7, 1977-</u>	RAMADA HOTEL OPERATING COMPANY filed the Resubdivision building plans.
<u>May 1, 1977-</u>	RAMADA HOTEL OPERATING COMPANY made the Declaration of Wight Bay Condominiums .
<u>1977-79</u>	RAMADA HOTEL OPERATING COMPANY sold off all of the Wight Bay Condominiums to individual buyers.
<u>1980-</u>	The EPA also regulates asbestos under the <u>Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)</u> . The Act authorizes the EPA to ensure that entities responsible for releasing hazardous substances into the environment cooperate in short-term removal or long-term remedial response cleanup efforts.
<u>1990-</u>	The <u>Asbestos School Hazard Abatement Reauthorization Act (ASHARA)</u> , amended AHERA to <u>require accreditation for individuals performing asbestos inspections and abatement projects in school, commercial, and public buildings</u> .

2011-2012-

Wight Bay Board of Directors (WBBOD) hired contractors to resurface both exteriors of Wight Bay Condominium buildings without any Asbestos containment or abatement.

September 2012-

Wight Bay Board of Directors (hereinafter, "WBBOD") had contractors cut with a circular saw outside our condo unit #548 door where they cut into the surface of the building and removed about 45 feet to lay some kind of pipes. On Friday of Labor Day weekend we found our condo covered in a ¼" of building surface dust (which now we know contained Asbestos). I emergently called the management office of Legum & Norman who told me the dust did not contain any silica or any other type of toxic materials and Legum & Norman refused to send a cleaning company to come clean my condo even though I had a one year old child with me and whose toys were covered with Asbestos dust. Legum & Norman further told me it was my responsibility as an owner to clean up the dust caused by the contractors and Legum & Norman charged me a \$50 fine for calling them on a Saturday with what they considered not to be an emergency.

October 1, 2012-

Maryland passed a new law, **House Bill 1262**, known as the **asbestos worker protection law**, thereby increasing monetary penalties and prison time for any violations.

July 2014-

Ron Mason instructed the Wight Bay maintenance men to remove the entire bathroom wall of our condo when Ron Mason knew Asbestos was present in the buildings but failed to disclose it. Adam Winter and Mike McCarraher, maintenance men for Wight Bay who have no asbestos training, licensing or accreditation, cut out our entire bathroom wall behind our toilet and sink which caused Asbestos dust to cover our bathroom and adjoining bedroom while we were living in our condo with two German Shepherds and one Czechoslovakian German Shepherd. They failed to clean up any of the dust and to date that wall remains open and every time the wind blows it creates a chimney effect in our condominium where dust and debris blows into our condominium unit.

January 5, 2015-

Kodi Alexandr died from Asbestos exposure. I request a necropsy immediately after Kodi died. Necropsy was performed and entire organs were sent to the lab for testing.

January 2015-

My other two dogs, both German Shepherds began having trouble breathing, throwing up blood, defecating blood and urinating blood. I took them both to the vet to be checked out. The vet ran tests and performed x-rays before confirming they are suffering signs of Asbestos exposure, which is irreversible.

February 2015-

Received Kodi's (my Czech Border Patrol Shepherd) necropsy report stating his cause of death was Asbestos exposure. Kodi was exposed 6 months prior when Ron Mason ordered Wight Bay maintenance men to cut out our entire bathroom wall, thus exposing me, my sister and my 70 year old mother to asbestos.

April 2015-

Marty O'Connor purchased Wight Bay Unit #244 and allowed me to review the settlement documents. Ron Mason and Randy Laye **fraudulently falsified the Resale Disclosure Certificate** where they failed to disclose Asbestos was present in the Wight Bay Condominium buildings. I scanned and made copies of said documents before returning them to Marty O'Connor.

April-May 2015-

WBBOD made an assessment on owners of Wight Bay Condominiums for cosmetic purposes only. Randy Laye hires Vytex Windows to replace the windows and doors of 136 Wight Bay condominiums. Randy Laye breaks federal laws by hiring Fisher's Environmental to **ONLY** perform Asbestos containment and abatement on **264** windows out of **408** windows and doors that required Asbestos containment and abatement according to CFR 1926.1101. Fisher's Environmental failed to have a supervisor on the property when work was completed. All condos were covered in Asbestos dust and all unit owners, their families and pets were exposed to Asbestos as a result of Randy Laye's willful negligence.

After seeing the contractors neither containing nor abating the corner units windows nor the front doors of any Wight Bay condos I would not allow the contractors to begin replacing my corner unit window, front door or ripping out all of the sheetrock contained inside my condo unit #548 without a licensed company performing Asbestos containment and abatement as CFR 1926.1101 requires. This absolutely infuriated Randy Laye, Ron Mason, Eugene Jubber, and WBBOD.

May 15, 2015-

SanAir Technology Laboratory Analysis Report comes back stating **3% Asbestos was present in Wight Bay Condominiums joint compound** (keep in mind, sampling was not performed correctly so in actuality the percentage of Asbestos is probably a lot higher but the Attorney General stated 1% Asbestos was not safe. Also, Vinny Gigliotti, Board Member, and Owner of ESI, Environmental Solutions Inc, who had a conflict of interest, performed sampling).

May 18, 2015-

Letter from ESI (Vinny Gigliotti's company) to Randy Laye and Eugene Jubber which states, ***"The exterior wall covering tested positive for asbestos during the initial renovation project."*** When did this testing take place? Why can Wight Bay unit owners not obtain these test results from WBBOD? Why did WBBOD intentionally and willfully conceal this information from Wight Bay unit owners in

direct violation of CFR 1926.1101 when it concerned the health and safety of Wight Bay unit owners? Is WWBOD concealing these records to hide from the lawsuits that would be brought against them for concealing these documents **in direct violation of CFR 1926.1101**? The ESI letter goes on to state, "***an abatement contractor was employed to remove the wall covering being impacted by the window and door replacement project.***" This is an outright lie. I was here and witnessed the abatement contractor ONLY performed abatement on the exterior building surface area around (1) the kitchen windows above every unit's sinks and (2) the long bedroom window which is accessible from the front balconies BUT the abatement contractor stated he was not hired to perform ANY abatement around ANY **(1) front doors of Wight Bay's 136 units** (which WWBOD performed without abatement and from a distance I watched in horror as friable Asbestos dust went everywhere into the air and into the Wight Bay condos. Vytex Windows is not licensed to perform ANY Asbestos related work and Vytex Windows was not wearing any type of protective clothing or masks when they replaced 135 Wight Bay front doors.), **(2) the 8 Wight Bay corner units bay windows** which the corner units have instead of the long frontside bedroom window (to properly remove these 8 windows scaffolding is necessary to contain and abate Asbestos before removing the bay windows from the outside of the building, however Randy Laye, Ron Mason, Eugene Jubber and WWBOD decided to cut corners and had Vytex Windows remove and replace the bay windows from inside the 7 Wight Bay units (7 and not 8 because I would not allow them to perform my window replacement without Asbestos concealment and abatement in compliance with CFR 1926.1101 however they sued me last week and Judge Bloxom gave them the injunction to come in my unit for 3 consecutive days in March and replace my window, my front door, my two sets of sliding glass doors and rip out all of the wallboard inside my condo without Asbestos containment or abatement.) from the inside of the 7 Wight Bay condos without ANY Asbestos containment or abatement. I walked into one of these 7 condos while Vytex was performing such and was horrified to see friable Asbestos dust covering the condo as a result. Randy Laye, Ron Mason and Eugene Jubber will tell you that all that was done was snapping the window out of the frame and snapping the new frame into the window but this is NOT THE CASE! Vytex Windows removed the window frames from the structure of the Wight Bay buildings and replaced the brown frames with white frames. ESI's letter goes on to state, "On May 12, 2015, ESI randomly tested the interior sheetrock and joint compound of the windows/doors being removed and replaced." On May 12, 2015 they had already completed all the windows and door with the exception of mine, unit #548. Regardless, the San Air Technologies Laboratory, Inc. sampling test results **#1513328 shows 3% Asbestos present in all the joint compound in ALL the condos tested.** Which only supports and evidences what I

have been stating all along. RANDY LAYE, RON MASON, EUGENE JUBBER CONSCIOUSLY AND WILLFULLY FAILED TO FOLLOW CFR 1926.1101 AND EXPOSED 136 WIGHT BAY UNIT OWNERS, THEIR FAMILIES, AND THEIR PETS TO ASBESTOS! THIS IS NOW CONSIDERED A CLEAN UP PROJECT, WITH THE EXCEPTION OF MY UNIT, WHICH I AM TRYING TO PREVENT SUCH EXPOSURE TO MYSELF, MY FAMILY, PETS, BELONGINGS AND PROPERTY.

According to CFR 1926.1101:

Building/facility owner is the legal entity, including a lessee, which exercises control over management and record keeping functions relating to a building and/or facility in which activities covered by this standard take place.

Asbestos includes chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, and any of these minerals that has been chemically treated and/or altered. For purposes of this standard, "asbestos" includes PACM, as defined below.

Asbestos-containing material (ACM), means any material containing more than one percent asbestos.

PACM means "presumed asbestos containing material". Presumed Asbestos Containing Material means thermal system insulation and surfacing material found in buildings constructed no later than 1980.

Most asbestos-related construction activities involve previously installed building materials. Building owners often are the only and/or best sources of information concerning them. Therefore, they, along with employers of potentially exposed employees, are assigned specific information conveying and retention duties under this section. Installed Asbestos Containing Building Material. Employers and building owners shall identify TSI and sprayed or troweled on surfacing materials in buildings as asbestos-containing, unless they determine in compliance with paragraph (k)(5) of this section that the material is not asbestos-containing. Asphalt and vinyl flooring material installed no later than 1980 must also be considered as asbestos containing unless the employer, pursuant to paragraph (g)(8)(i)(I) of this section determines that it is not asbestos-containing. If the employer/ building owner has actual knowledge,

or should have known through the exercise of due diligence, that other materials are asbestos-containing, they too must be treated as such. When communicating information to employees pursuant to this standard, owners and employers shall identify "PACM" as ACM. Additional requirements relating to communication of asbestos work on multi-employer worksites are set out in paragraph (d) of this section.

(2) *Duties of building and facility owners.* (i) Before work subject to this standard is begun, building and facility owners shall determine the presence, location, and quantity of ACM and/or PACM at the work site pursuant to paragraph (k)(1) of this section.

(ii) Building and/or facility owners shall notify the following persons of the presence, location and quantity of ACM or PACM, at the work sites in their buildings and facilities. Notification either shall be in writing, or shall consist of a personal communication between the owner and the person to whom notification must be given or their authorized representatives:

(A) Prospective employers applying or bidding for work whose employees reasonably can be expected to work in or adjacent to areas containing such material;

(D) Tenants who will occupy areas containing such material.

ESI's letter also states, "This sheetrock was not previously accessible or tested for asbestos." This is in direct violation of CFR 1926.1101. Also it was accessible. ESI's letter further states that they took an air sample from Vinny Gigliotti's condo unit #361 when Vinny Gigliotti has a conflict of interest and certainly does not want to be fined and go to prison for two years for breaking federal laws. ESI's letter continues trying to backtrack and cover the illegal steps Randy Laye, Ron Mason, Eugene Jubber, Vinny Gigliotti and WBBOD had employed. Nevertheless, the letter states one thing and then contradicts that statement throughout the letter.

May 26, 2015-

Randy Laye mailed letters to some of the unit owners after their doors and windows had already been replaced and every unit owners condo was covered with Asbestos dust where the majority of the unit owners had already been exposed when they used their condos in May 2015 stating that Asbestos tests could be conducted if the unit owners wanted them done but failed to mention Randy Laye had

hired another WBBOD member to perform said tests. Randy Laye also failed to mention that the WBBOD member, Vinny Gigliotti, had a conflict of interest in performing said tests as he was also liable for exposing 136 unit owners and their families and pets to Asbestos as he was a WBBOD member who made the conscious decision to not disclose Asbestos was present in these buildings before exposing the unit owners to Asbestos.

May 27-28, 2015-

I emailed Lorraine Anderson begging for her assistance, ie to do her job.

I received an email back from Lorraine Anderson.

Emails correspondence back and forth between Lorraine Anderson and me.

June 2015-

Wight Bay unit owners were extremely concerned they were exposed to Asbestos and ordered the tests to be performed (they did not know the person performing the tests had a conflict of interest).

June 11, 2015-

Vinny Gigliotti, Wight Bay Condo #361 owner, on the WBBOD, owner of Environmental Solutions Inc. ("ESI"), performed the Asbestos tests not in compliance with **CFR 1926.1101** mandatory sampling and analytical procedures and only performing NIOSH 7402 (Asbestos by TEM) which is only a partial evaluation and failed to perform NIOSH 7400 (Asbestos and Other Fibers by PCM) which is a full evaluation. NIOSH 7402 method is designed for use with Method 7400 (phase contrast microscopy).

June 19, 2015-

ESI's letter to Randy Laye which proves Vinny Gigliotti performed the sampling wrong and not in compliance with CFR 1926.1101 and shocking how ESI's stationary includes the statement, "*Report Limitations: The data presented by ESI in this **report was collected and analyzed using generally accepted industry methods and practices** at the time this report was generated.*" ESI's letter clearly states they do not follow federal laws. How is this company still in business? It is of no surprise that the person with a conflict of interest who performed the sampling not in compliance with CFR 1926.1101 resulted in all of the tested condos samples being exactly the same and no presence of Asbestos.

Come on, if the test results stated anything differently, Vinny Gigliotti, Randy Laye, Ron Mason, Eugene Jubber and WBBOD would have been openly admitting in writing to have exposed 136 unit owners, their families and their pets to Asbestos and thus signed all of the aforementioned people and pets death certificates. It would be asinine to think the test results would come back stating anything else! We know and Randy Laye, Ron Mason, Eugene Jubber, Vinny

Gigliotti and WBBOD without a doubt know they WILLINGLY exposed all of us to Asbestos but they figure when we start getting sick from the Asbestos exposure they will not be anywhere around for us to blame.

October 2015-

Randy Laye had 13 Wight Bay units' three-door and two-door sliding glass doors replaced without any Asbestos containment or abatement. These sliding glass doors run the entire length of each condo. I have time and date stamped photographs and videos of said sliding glass doors being replaced **without complying with CFR 1926.1101** where the contractors caused Asbestos dust to spread everywhere both inside the condos and outside into the air. I also have photographs where the contractors were sweeping up the Asbestos dust and debris before dumping it in trash cans.

December 1, 2015-

I called Bill Schmidt, Criminal Investigative Unit and explain to him over the phone everything that has happened.

Bill Schmidt asked me to email him all of the evidentiary documentation and correspondence between Lorraine Anderson and myself.

I emailed Bill Schmidt all correspondence between Lorraine Anderson and me in addition to all evidentiary documentation.

December 2015-

I received an email from Bill Schmidt stating he spoke with Lorraine Anderson who told him she was still awaiting the test results from 6 months ago from WBBOD. Neither Bill Schmidt nor Lorraine Anderson took any further action.

January 20, 2016-

I called Brian E. Frosh, Maryland Attorney General's office and speak to his Administrative Aid, Jason who first tells me Attorney General Frosh is currently at a Legislative meeting in Annapolis and then connects me with Lorraine Anderson's direct office line against my wishes. I call Attorney General Frosh's office again and speak to Jason again who informs me I need to contact the Governor's Office (410-974-3901) and make sure I tell them I want to file a complaint against two employees of the Maryland Department of Environment.

I called the Governor's office and am transferred to Ben H. Grumbles, Secretary of Environment's office where I spoke to Bridgette Lundfelt (410-537-3084). Ms. Lundfelt listens to my complaint and takes notes with regard to the Asbestos problem I encountered. Ms. Lundfelt requests I send all correspondence between both Bill Schmidt, Lorraine Anderson and myself to governor.mail@maryland.gov in addition to evidentiary documentation about the Asbestos at Wight Bay Condominiums. Ms. Lundfelt also asks me to email the documents

to her at bridgette.lundfelt@maryland.gov at the chance she can get someone to review the problem.

I emailed all correspondence between Lorraine Anderson, Bill Schmidt and me to both email addresses provided by Ms. Lundfelt in addition to all evidentiary documentation requested.

I received a phone call back from Bridgette Lundfelt who was very helpful and contacted Mary Tung, Deputy Secretary, Operations, who stated she would take the information I provided to a higher up. Ms. Lundfelt stated I should be receiving a telephone call back from the Governors office or Secretary's office in the next few days.

January 21-22, 2016-

Ron Mason, Randy Laye, Eugene Jubber and WBBOD sued us to get an injunction because they want to replace our front door, our bay window, both our three-door and two-door glass sliders and rip out entire walls of wallboard in our condo #548 without performing the required Asbestos containment and abatement. Judge Bloxom granted them the injunction and thus in March 2016 they will come into our condo for three straight days where we cannot be here and they will perform the aforementioned to our condo thereby exposing us to Asbestos yet again. Judge Bloxom did not care that our concern was Asbestos exposure. Ron Mason, Randy Laye and Eugene Jubber stated they were not going to comply with CFR 1926.1101. You can request a transcript from the court to confirm all of the information I have provided to you. The transcript would also provide you with the means necessary to convict Ron Mason and Randy Laye as guilty of a misdemeanor for knowingly and willfully violating any provision of 2010 Maryland Code, ENVIRONMENT, TITLE 6 – TOXIC, CARCINOGENIC, AND FLAMMABLE SUBSTANCES, Subtitle 4 Asbestos Removal, Section 6-422 – Penalties or any rule or regulation adopted under this subtitle where (1) For a first offense, to a fine not exceeding \$20,000; or (2) For a second or subsequent offense, to a fine not exceeding \$25,000, or **imprisonment not exceeding 2 years or both**. [An. Code 1957, art. 43, § 810A; 1982, ch. 240, § 2; 1985, ch. 696; 1988, ch. 6, § 1; 1990, ch. 130; 2003, ch. 212.]

January 26, 2016-

I was in meetings all day but saw I received a phone call on my cell phone from 410-974-3901 after 5 pm. Whoever called from that number failed to leave any voicemail message. I reverse looked up the telephone number, which resulted in that number being the Governors Office, Larry Hogan.

January 28, 2016-

I called Governor Larry Hogan's office back and left a voicemail.

January 29, 2016-

Received a phone call back from Ms. Luntfelt from Governor Hogan's office. Ms. Luntfelt informed me that the Governor's office's hands were tied because:

- i. The amount of Asbestos we all were exposed to was within the legal limit.

NOT TRUE- we were exposed to **at least 3% Asbestos**. The Attorney General stated NOT even 1% Asbestos is safe. The Surgeon General stated NO percent of Asbestos is safe. My healthy Czech German Shepherd died 6 months after being exposed (as is states in his necropsy report). My other two German Shepherd's were diagnosed as dying of the same Asbestos exposure. The May 15, 2015 Test Results state ALL JOINT COMPOUND tested Positive for 3% Asbestos (which was already provided to your office).

- ii. The Crime Investigative Unit still has an open investigation on this problem.

I find that hard to believe.

Can you please tell me why the hell the government has federal laws and codes of regulations in place if nobody has to follow them? Do you think I have nothing better to do with my time than to keep explaining a very simple problem to people who refuse to listen? Wight Bay's Board of Directors is scamming your office. They are pulling the wool over your eyes and laughing about it. Goodness, if the Crimes Investigative Unit investigated all crimes, scandals and conspiracies in this world, our prisons would remain empty while the corrupt continued to run the world.

Can you please tell me when the Crime Investigative Unit expects to have completed their investigation if it is still on going? I cannot be more explicit that your office needs to run some Asbestos tests on your own. Wight Bay Board of Directors are not performing the sampling correctly to ensure we do not find out the actual amount of Asbestos we all have been exposed to. I am confident that if you contacted the Wight Bay Board of Directors and told them you wanted to perform some asbestos tests inside a condo they would give you a condo to test where they first removed all the asbestos to ensure you found nothing. I offer my condominium for testing to ensure nothing has been changed. Also, please perform a little research online and you will find that Ramada Inn's have been found to have 4 times as much Asbestos as was originally anticipated by the licensed abatement companies. This has been found all over the country. This building is no different.



(b) (6)

Asbestos Problem

(b) (6)

Fri, Jan 29, 2016 at 5:00 PM

To: mary.tung@maryland.gov

Dear Dr. Tung,

Attached you will find an outline of the Asbestos exposure events and the key criminal players who caused this. I have reported this to Lorraine Anderson and Bill Schmidt, who I understand is under you in the Crime Investigative Unit. Both have failed to fully investigate this egregious situation or are taking the word or test results performed erroneously by one of the board members who made the initial decision to cut corners and expose us all. You will get the full story by reviewing the key players and outline. I also will forward to you all of the documentation I sent to Bill Schmidt and Lorraine Anderson. I am hoping you can assist me with this matter. Thank you. I look forward to hearing back from you. I apologize in advance if I come across as pushy but I am so frustrated at this point I do not know what to do or who to contact but I do know these people have exposed us to illegal levels of asbestos and plan to do so again in March 2016. Feel free to contact me with any questions you may have or any other documents you would like to have.

Regards,

(b) (6)

(b) (6)



2016.01.28 Key Criminal Players & Outline of Asbestos Exposure Events.docx

141K



(b) (6)

Asbestos Emergency

(b) (6)

Fri, Jan 29, 2016 at 5:05 PM

To: mary.tung@maryland.gov

----- Forwarded message -----

From: (b) (6)

Date: Wed, Jan 20, 2016 at 2:59 PM

Subject: Fwd: Asbestos Emergency

To: bridgette.lundfelt@maryland.gov, governor.mail@maryland.gov

----- Forwarded message -----

From: **Lorraine Anderson -MDE-** <lorraine.anderson@maryland.gov>

Date: Thu, May 28, 2015 at 11:06 AM

Subject: Re: Asbestos Emergency

To: (b) (6)

I am looking into it. Could you please send me the address and the dates it occurred.

Asbestos Emergency

(b) (6)

Fri, Jan 29, 2016 at 5:05 PM

To: mary.tung@maryland.gov

----- Forwarded message -----

From: (b) (6)
Date: Wed, Jan 20, 2016 at 2:58 PM
Subject: Fwd: Asbestos Emergency
To: bridgette.lundfelt@maryland.gov

----- Forwarded message -----

From: (b) (6)
Date: Wed, May 27, 2015 at 5:34 PM
Subject: Asbestos Emergency
To: lorraine.anderson@maryland.gov

Dear Ms. Anderson,

I spoke with Cristina Campbell Harris (OSHA, Safety and Health Compliance Hygienist) yesterday regarding the replacement of exterior windows and doors in a Ramada Inn which was built in the early 1970s and then in 1977 and 1978 sold them off as condominiums named Wight Bay. Ms. Harris referred me to you because Ms. Harris said OSHA did not have jurisdiction to come on-site unless an employee complained.

In 2014, Wight Bay's Board of Directors (BOD) tested the building and the building tested positively for Asbestos. Wight Bay's BOD contracted with Fisher's Environmental company to cut, encapsulate, and remove building surface area around the exterior windows "only" on the frontside of the building but repeatedly and intentionally failed to contract with Fisher's Environmental to perform the same federal requirements on the **removal and replacement of the doors and backside exterior windows of the building**. The building requires scaffolding in order to replace the backside exterior windows of the building.

To cut costs, Wight Bay's BOD intentionally violated the federal code of regulations by replacing the doors of 120 condominiums from the Asbestos containing surface area without following CFR. Wight Bay's BOD also violated CFR when they gave Vytex Contracting access to the inside of the condominiums to remove and replace the backside building exterior windows which were cut out of the same Asbestos containing building surface. Vytex does not have the federally required licenses for anything Asbestos related.

Wight Bay's BOD made the renovation contracts secretly so no condominium unit owners

would be apprised that their condos now contained Asbestos particles and in turn each owner and anyone who entered their condos would be exposed to Asbestos. Only the owners who were residing at Wight Bay when the Asbestos signs were posted in the stairwells and then removed when Fisher's Environmental had completed their contract were informed that the building contained Asbestos. Wight Bay's BOD failed to mail out the federally required letter to each of the owners warning them that the building tested positive for containing Asbestos.

Wight Bay's BOD contracted for this work to be performed when the condo owners were out of town so none of the owners would question there negligent and eggregious actions. I however have been residing in my condo and have witnessed such actions. Additionally, when I questioned the Wight Bay BOD to confirm that they would be following CFR for removal and replacement of my door and backside building exterior window I have been told that Wight Bay's BOD refuses to follow Asbestos regulations for the doors and backside building exterior windows and to date I have received continous threats and harrassment from Wight Bay's BOD and on-site maintenance men.

I am hoping you could provide me with some assistance with this matter. Please feel free to contact me via email or on my cell phone at [301-221-5342](tel:301-221-5342). I look forward to hearing back from you.

Regards,

(b) (6)

Asbestos Emergency

(b) (6)

Fri, Jan 29, 2016 at 5:06 PM

To: mary.tung@maryland.gov

----- Forwarded message -----

From: (b) (6)

Date: Wed, Jan 20, 2016 at 2:59 PM

Subject: Fwd: Asbestos Emergency

To: bridgette.lundfelt@maryland.gov, governor.mail@maryland.gov

----- Forwarded message -----

From: (b) (6)

Date: Thu, May 28, 2015 at 12:54 PM

Subject: Re: Asbestos Emergency

To: Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>

Dear Ms. Anderson,

Thank you for replying. The addresses of the two buildings are:

4711 Coastal Highway

Wight Bay Condominiums North Building (72 Condos)

Ocean City, MD 21842

4709 Coastal Highway

Wight Bay Condominiums South Building (64 Condos)

Ocean City, MD 21842

The dates that Wight Bay Board of Directors had Fisher's Environmental here to remove the Abestos around "only" the frontside exterior windows of the two buildings occurred on April 13th through April 27th.

Vytex (who is not licensed for anything Asbestos related) has been on the property removing and replacing the backside exterior windows and front doors from the Asbestos building surface from April 13 through today. Wight Bay's Board of Directors, Randy Laye and Ron Mason, Management Company, O.C. Reality Management, Eugene Jubber, and Wight Bay's maintenance men, Adam Winters are the individuals who have been non-stop harassing my family and me and currently are trying to force themselves on me right now to do work that does not follow CFR. They are currently in my condo yelling at me performing other work not to standards because I complained about not wanting to be exposed further to Asbestos.

Regards,

(b) (6)



(b) (6)

Asbestos Problem

Mary Tung -MDE- <mary.tung@maryland.gov>

Fri, Jan 29, 2016 at 5:55 PM

To: (b) (6)

Dear (b) (6)

Thank you for contacting me about this matter. I will look into this internally and get back to you.

Regards,

Mary Beth Tung, Ph.D., Esq.
Deputy Secretary
Maryland Department of the Environment
1800 Washington Blvd, 7th Floor
Baltimore, MD 21230
(410) 537-3893 (phone)
(443) 938-3331 (mobile)
(410) 537-3888 (fax)
Mary.Tung@maryland.gov

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P Please consider the environment before printing this email

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(b) (6)

Wight Bay Condominiums Investigation

Shea Beitler-Akman -MDE- <shea.beitler-akman@maryland.gov>

Wed, Feb 17, 2016 at 9:29 AM

To: (b) (6)

Cc: Bill Schmidt -MDE- <bill.schmidt@maryland.gov>

(b) (6)

Attached is a copy of a letter from Assistant Attorney General D'Arcy Talley in regards to the Environmental Crimes Unit's ("ECU") investigation of your complaint. If you have any questions please feel free to contact the ECU at [410-537-4405](tel:410-537-4405). Thank you,

Shea Beitler-Akman

--

Shea Beitler-Akman
Associate
Office of the Attorney General
Environmental Crimes Unit
1800 Washington Blvd., Suite 6115
Baltimore, Maryland 21230
[410-537-3022](tel:410-537-3022)(work)



(b) (6) **Wight Bay Letter.pdf**

66K

BRIAN E. FROSH
Attorney General

ELIZABETH F. HARRIS
Chief Deputy Attorney General

THIRUVENDRAN VIGNARAJAH
Deputy Attorney General

TOLL FREE
(800) 633-6101, EXT 3333



STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
ENVIRONMENTAL CRIMES UNIT
1800 WASHINGTON BLVD, SUITE 6115
BALTIMORE, MARYLAND 21230-1719
(410) 537-3333

D'ARCY BYRNES TALLEY
Assistant Attorney General

FACSIMILE NO.
(410) 537-3030

February 3, 2016

(b) (6)

3711 Coastal Highway, Unit 548
Ocean City, Maryland 21842

Re: Wight Bay Condominiums, 3711 Coastal Highway, Unit 548, Ocean City, MD 21842

(b) (6)

This office is in receipt of your November 24, 2015 referral to the Office of the Attorney General's Environmental Crimes Unit. This letter is to inform you that, after review, it has been determined that a criminal investigation will not be opened at this time.

This office is appreciative of the referral and further advises that, in accordance with Environment Article § 1-303(a), a criminal prosecution can be brought within three (3) years of the date of learning of the violation. If additional evidence becomes available to you that may better support the opening of a criminal investigation, please contact our office for further review. In addition, you can direct new information or additional inquiry to the Maryland Department of the Environment's Asbestos Division at (410) 537-3200.

Thank you for your attention to this matter. Please feel free to contact me at (410) 537-4405 should you have any questions or should you wish to discuss this matter further.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "D'Arcy Byrnes Talley", written over a horizontal line.
D'Arcy Byrnes Talley
Assistant Attorney General

cc: Lorraine Anderson – MDE, Asbestos Division Chief

Asbestos Violation Currently Happening

(b) (6)

Thu, Mar 24, 2016 at 12:21 PM

To: Bill Schmidt -MDE- <bill.schmidt@maryland.gov>, Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>, mary.tung@maryland.gov

Dear Mary, Lorraine and Bill,

I have reported Wight Bay Condominiums asbestos violations to each of you in the last year. As we speak, Wight Bay Condominiums Board of Directors is inside our condominium with contractors removing asbestos containing drywall, joint compound, two 3-glass sliding glass doors, two windows and a front door without asbestos containment and abatement. Last Friday, Dr. Sue White, Sussex Environmental, performed asbestos sampling tests on our condominium whereby laboratory results came back as everything in our condominium contains asbestos and must be contained and abated. Wight Bay Condominiums Board of Directors and Property Management brought in Fishers Environmental to ONLY perform asbestos abatement on 1 WINDOW to make it appear to ALL FEDERAL AGENCIES THAT THEY WERE FOLLOWING FEDERAL LAWS but this is not the case. These contractors will be conducting the renovations through Friday at 5 pm (if it takes that long) without ANY OVERSIGHT. The Wight Bay Board of Directors successfully had us (owners of the condominium) forcefully removed from our own property in order to perform the renovations WITHOUT the required asbestos abatement and containment because they knew we had reported them to the EPA for breaking federal asbestos laws but they had gotten away with it even though they killed my dog (as the necropsy laboratory results prove).

Again, I ask that you investigate this now without giving them a heads up by calling. They will lie and tell you they did have asbestos containment and abatement but if you show up you will see they are lying to federal officials to cover their own asses.

The address is: 4711 Coastal Highway, Wight Bay (b) (6) Ocean City, MD 21842 (it is in the north building of the two Wight Bay Condominium buildings on the bayside of Coastal Hwy, the top floor all the way back in the corner of the "L" shaped building closest to the bay).

I know that we are now looking at a clean up sight because Fishers Environmental called Dr. White yesterday and said that they were finished working at our condominium because they only were hired to do asbestos abatement and containment to one small area in our condo. We have confirmed the contractors are still at our condo performing renovations today without the required abatement and containment.

Regards,

(b) (6)

(b) (6)

Asbestos Violations Currently Happening

(b) (6)

Fri, Mar 25, 2016 at 9:24 AM

To: mary.tung@maryland.gov, Bill Schmidt -MDE- <bill.schmidt@maryland.gov>, Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>

Yesterday, I contacted the three of you regarding Wight Bay Condominiums performing renovations on our condominium (b) (6) without Asbestos containment and abatement as was required and stated in a letter provided by Dr. Sue White, Sussex Environmental and given to OC Real Estate Management and Wight Bay Condominiums Board of Directors. I just confirmed with Lance Fisher, Fisher's Environmental that MDE spoke to Mr. Fisher and requested the condo (b) (6) negative air quality test results of Fisher's Environmental (performed by Environmental Testing Inc.) that were performed when Fisher's Environmental had completed the job which OC Real Estate Management (Management for Wight Bay Condominiums) had hired them to do.

*******What MDE FAILED to do is ask if any other work was being performed by any contractors in condo (b) (6) during and after Fisher's Environmental left condo (b) (6), and if so, what work?*******

Two separate independent laboratories have tested the contents of the drywall and joint compound in Wight Bay Condominiums which resulted in POSITIVE ASBESTOS of 3% and 2% consecutively.

Dr. White's letter specified that everything in condo (b) (6) was POSITIVE for Asbestos and MUST BE CONTAINED AND ABATED BY FEDERALLY LICENSED INDIVIDUALS IN ACCORDANCE WITH FEDERAL LAWS. Dr. White could not have made this more clear.

The answer to the aforementioned BOLDDED question is YES- Fisher's Environmental WAS NOT HIRED TO PERFORM ASBESTOS CONTAINMENT OR ABATEMENT TO the following tasks that contractors performed **AFTER FISHER'S PERFORMED THEIR NEGATIVE AIR QUALITY TEST:**

- **ANY AREAS IN EITHER BATHROOMS**- where BOTH entire walls were being removed.
- **ANY AREA IN EITHER BATHROOMS**- where toilet was removed from the grout (which contains asbestos)- (a jack hammer was necessary to perform such)
- **FRONT STORM DOOR**- including the entire front storm door, door frame out of the surface area and joint compound of the exterior of the building and the interior surface area and joint compound of the interior of condo (b) (6)

- **BEDROOM WINDOW**- where the entire window and window frame were removed out of the surface area and joint compound of the interior surface area of condo (b) (6) including disrupting the exterior surface of the building (all of which was performed from the inside of condo (b) (6) instead of using scaffolding)
- **ALL OF WHICH WERE PERFORMED** with no **ABESTOS** containment of abatement)

Repeatedly I have been amazed at how MDE has disregarded Maryland taxpayers safety and rights. MDE has been incredibly lax with regard to these people breaking federal laws and putting our lives in danger. I can guarantee each of you would act much differently if you and your family were the individuals being exposed against your will to asbestos. So why are you acting any differently when it is me and my family?

I urge you AGAIN, to investigate the ILLEGAL actions of these individuals who you are very willing to take them at their word and fail to ask anymore questions of!!

And my family is to go back and live in this environment today at 5:00 pm. Please respond.

Regards,

(b) (6)



(b) (6)

Asbestos Violations Currently Happening

Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>

Fri, Mar 25, 2016 at 11:54 AM

To: (b) (6)

Cc: Bill Schmidt -MDE- <bill.schmidt@maryland.gov>, Angelo Bianca -MDE- <angelo.bianca@maryland.gov>

(b) (6)

I called Ms. Sue White yesterday and I am waiting on receiving her sampling results before I respond to your email. I have received the air clearance for the asbestos work that was done on March 22, and it cleared.

I will get back to you when I have all of the information.

Lorraine Anderson
Chief, Asbestos Division
Maryland Department of the Environment
Ph [410-537-3200](tel:410-537-3200)
Fax [410-537-3924](tel:410-537-3924)

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Asbestos Violations Currently Happening

(b) (6)

Fri, Mar 25, 2016 at 3:02 PM

To: Lorraine Anderson -MDE- <lorraine.anderson@maryland.gov>, mary.tung@maryland.gov, Bill Schmidt -MDE- <bill.schmidt@maryland.gov>

Ms. Anderson,

Perhaps, I did not make it clear enough for you to understand. Fisher's Environmental completed their job on Wednesday morning which is the negative air sampling test you referred to. As Fisher's Environmental was leaving contractors were beginning to do the following renovations where Fisher's Environmental PROVIDED NO ASBESTOS ABATEMENT OR CONTAINMENT TO THOSE AREAS- making Fisher's Environmental's negative air sampling test results MOOT. The contractors proceeded completing the bulleted items below which Fisher's Environmental's Owner, Lance Fisher claims they did not provide ANY asbestos abatement or containment to the following areas that the contractors are at my condominium doing as we speak.

- removed both bathroom walls
- removed toilet out of asbestos containing grout with a jack hammer or the like
- removed front storm door and the entire front door doorframe and installed new
- removed bedroom window and window frame and installed new

My family and I are supposed to move back into our condominium at 5 pm today but it is covered in asbestos dust and debris. What are we supposed to do? Play Russian roulette with our lives?

I await your response.

Regards,

(b) (6)